

## Public Law 88-594

September 12, 1964  
[S. J. Res. 49]

## JOINT RESOLUTION

Authorizing the Secretary of the Interior to carry out a continuing program to reduce nonbeneficial consumptive use of water in the Pecos River Basin, in New Mexico and Texas.

Pecos River  
Basin,  
N. Mex. and Tex.  
Water supply.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to prevent further decreases in the supply of water in the Pecos River Basin, and in order to increase and protect such water supply for municipal, industrial, irrigation, and recreational uses, and for the conservation of fish and wildlife, and to provide protection for the farmlands in such basin from the hazards of floods, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized and directed to take such measures as he deems necessary and appropriate to carry out a continuing program to reduce the nonbeneficial consumption of water in the basin, including that by salt cedar and other undesirable phreatophytes. Such program shall be carried out in the Pecos River Basin from its headwaters in New Mexico to the town of Girvin, Texas: *Provided, however,* That no money shall be appropriated for and no work commenced on the clearing of the floodway authorized by the Act of February 20, 1958 (72 Stat. 17), unless provision shall have been made to replace any Carlsbad Irrigation District terminal storage which might be lost by the clearing of said floodway.

## Conditions.

SEC. 2. As a condition to undertaking the program authorized by the first section of this joint resolution, the Secretary shall require the States of New Mexico and Texas to give such assurances as he deems adequate that such States will acquire such lands, easements, rights-of-way, and other interests in lands as the Secretary considers necessary effectively to carry out such program.

SEC. 3. (a) As a further condition to undertaking the program authorized by this joint resolution, the Secretary may, with respect to those beneficiaries in New Mexico and Texas which the Secretary determines to be likely to benefit directly from the results of such program, require such commitments as he deems appropriate that such beneficiaries will repay the United States so much of the reimbursable costs incurred by it in carrying out such program as do not exceed the value of the benefits accruing to such beneficiaries from such program. The Secretary shall not require the repayment of such costs unless he determines that it is feasible (1) to identify the beneficiaries that are directly benefited by the program, and (2) to measure the extent to which each beneficiary is benefited by such program.

(b) Repayment contracts entered into pursuant to the provisions of this section shall be subject to such terms and conditions as the Secretary may prescribe, except that the amount of the repayment installment and total obligation in the case of any beneficiary shall be fixed by the Secretary in accordance with the ability of such beneficiary to pay, taking into consideration all other financial obligations of such beneficiary.

(c) Any costs of the program which the Secretary determines are properly allocable to flood control, fish and wildlife conservation and development, recreation, or restoration of streamflow shall be considered as nonreimbursable costs.

(d) In conducting the program, the Secretary shall take such measures as may be necessary to insure that there will be no interference with regular streamflow, no contamination of water, and the least possible hazard to fish and wildlife resources.

SEC. 4. Nothing contained in this joint resolution shall be construed to abrogate, amend, modify, or be in conflict with any provisions of the Pecos River compact.

63 Stat. 159.

SEC. 5. There is hereby authorized to be appropriated not more than \$2,500,000 for the initial eradication or suppression of salt cedar and other undesirable phreatophytes on lands within the area to which this joint resolution applies and, in addition thereto, such further sums as may be necessary to maintain continued control over this land to prevent its reinfestation.

Appropriation.

Approved September 12, 1964.

## Public Law 88-595

### AN ACT

September 12, 1964

To amend section 511 (h) of the Merchant Marine Act, 1936, as amended, in order to extend the time for commitment of construction reserve funds.

[S. 2995]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the proviso at the end of section 511(h) of the Merchant Marine Act, 1936, as amended, is amended to read as follows: "Provided, That until January 1, 1965, in addition to the extensions hereinbefore permitted, further extensions may be granted ending not later than December 31, 1965."

Vessels.  
Construction  
reserve funds.  
77 Stat. 470.  
46 USC 1161.

SEC. 2. The amendment made by the first section of this Act shall take effect December 31, 1964, or on the date of enactment of this Act, whichever date first occurs.

Approved September 12, 1964.

## Public Law 88-596

### AN ACT

September 15, 1964

For the relief of the State of New Mexico.

[H. R. 4786]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the State of New Mexico is relieved of liability to pay to the United States the sum of \$46,981.32, representing the amount by which the Department of the Army has determined the State to be liable on account of certain property of the United States which was destroyed, damaged, or lost as a result of a fire which occurred on May 30, 1954, at Clayton, New Mexico. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this Act.

New Mexico.  
Relief.

Approved September 15, 1964.